

REMARKS

Applicants have amended their claims herein to better clarify their invention. Independent claims 1, 7, and 13, are amended herein to recite, *inter alia*, a plurality of information storage and retrieval system and a plurality of controllers, wherein two of the plurality of controllers are disposed in each of the information storage and retrieval systems. Support can be found in the Specification on page 4 at lines 3– 5 referencing processors 130 and 140 disposed in information storage and retrieval system 100, further support can be found FIG. 3 which shows controllers 310 and 320 disposed in information storage and retrieval system 301 and which shows controllers 340 and 350 disposed in information storage and retrieval system 331 and which shows controllers 370 and 380 disposed in information storage and retrieval system 361.

Claim 7 is further amended to recite a plurality of interconnected information storage and retrieval system wherein each of said information storage and retrieval systems is interconnected with a different remote storage location. Support can be found in the Specification on Page 9 at Line 19 through Page 10 at Line 2, and in FIG. 4.

No new matter has been entered. Reexamination and reconsideration of the application, as amended, is respectfully requested.

Claims 1-18 stand rejected under 35 USC 103(a) as being unpatentable over Beal et al. (U.S. Pat. No. 5,155,845) in view of Cochran et al. (U.S. Pub. No. US2004/0230859).

Beal et al. teach a DASD subsystem in which improved data availability is provided by a system wherein the failure of a single system component will not prevent a connected host from obtaining access to stored data records. Col. 2 / Lines 59-64. Beal nowhere teaches or

suggests a storage system comprising a plurality of information storage and retrieval systems, where each of the plurality of information storage and retrieval systems is interconnected with each of the other information storage and retrieval systems, wherein each of the plurality of information storage and retrieval systems is interconnected with the same host computer, and wherein each of the information storage and retrieval systems is interconnected with a different remote storage location, as recited in Applicants' claims 1, 7, and 13, as amended herein.

Cochran et al. teach a disaster recovery system comprising a plurality of cascaded data centers. [0004]. Cochran et al. nowhere teach or suggest a storage system comprising a plurality of information storage and retrieval systems, wherein each of the plurality of information storage and retrieval systems is interconnected with each of the other information storage and retrieval systems, wherein each of the plurality of information storage and retrieval systems is interconnected with the same host computer, and wherein each of the information storage and retrieval systems is interconnected with a different remote storage location, as recited in Applicants' claims 1, 7, and 13, as amended herein.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." MPEP 2143.03; *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Neither Beal et al. nor Cochran et al., singly or in combination, teach or suggest a storage system comprising a plurality of information storage and retrieval systems, wherein each of the plurality of information storage and retrieval systems is interconnected with each of the other information storage and retrieval systems, wherein each of the plurality of information storage and retrieval systems is interconnected with the same host computer, wherein each of the information storage and retrieval systems is interconnected

with a different remote storage location, and wherein each of the information storage and retrieval systems comprises two controllers, as recited in Applicants' claims 1, 7, and 13, as amended herein.

Claims 2-6, as amended herein, depend, directly or indirectly, from claim 1, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 2-6, as amended herein, are non-obvious over Beal et al. in view of Cochran et al.

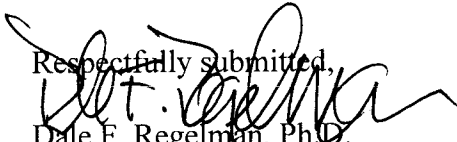
Claims 8-12, as amended herein, depend from claim 7, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully submit that claims 8-12, as amended herein, are non-obvious over Beal et al. in view of Cochran et al.

Claims 14-18, as amended herein, depend from claim 13, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants respectfully

submit that claims 14-18, as amended herein, are non-obvious over Beal et al. in view of Cochran et al.

Having dealt with all of the outstanding objections and/or rejections of the claims, Applicants submit that the application as amended is in condition for allowance, and an allowance at an early date is respectfully solicited. In the event there are any fee deficiencies or additional fees are payable, please charge them, or credit an overpayment, to our Deposit Account No. 502262.

Respectfully submitted,


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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on this 18th day of January, 2007, the Preliminary Amendment is being filed via the Web Enabled Patent Filing System (EFT-WEB).

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